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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,383	08/13/2001	Hideo Harada	33869	9480

116 7590 07/09/2003

PEARNE & GORDON LLP
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CLEVELAND, OH 44114-1484

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

09/913,383

Applicant(s)

HARADA ET AL.

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure filed 8/13/2001 has been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaminura (JP 07-154761A).

Regarding claim 1, Kaminura discloses a video output device comprising a camera (1, figure 1) inherently comprising image pickup means for picking up a photogenic subject and generating a pickup signal, and pickup signal processing means for processing the pickup signal and outputting a pickup image signal, image modification processing means (3, figure 2) for subjecting the pickup image signal to an image modification processing for protect a portrait

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right, image signal selection means (2, figure 1) for selecting one of the pickup image signal from the pickup signal processing means and a modified image signal from the image modification means depending upon a switch control part (32, figure 2), and communication means (5, figure 1) for transmitting an output image from the image signal selection means (abstract).

Regarding claims 6-7, Kaminura teaches to perform a resolution reducing processing for reducing a resolution of the pickup image signal (abstract).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminura (JP 07-154761A).

Regarding claims 2-3, Kaminura teaches to select and output the modified image signal from the image modification processing means based on instruction of the switch control part, which the switch control part is being controlled by an originating party, i.e., a calling party (abstract) so that it recognizes the video output device being capable of outputting the modified image signal from the image modification processing means at a time of starting communication

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and outputting the image signal from the pickup signal processing means in response to confirmation of called party.

7. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminura (JP 07-154761A) in view of Hiroaki (US PAT. 5,786,846).

Regarding claims 4-5, Kaminura differs from the claimed invention in not specifically teaching to perform a defocusing processing for placing an image based on the image pickup image signal in a defocused state or to perform a deforming processing for converting two-dimensional for converting two-dimensional positional information of pixels in the pickup image signal at an arbitrary ratio. However, Hiroaki teaches a video processing for indicating user's deviation capable to perform deforming processing or defocusing processing (i.e., enlarging/reducing image size, cutting display part, changing brightness or hue of color), thereby improves security and protects privacy. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kaminura in performing the defocusing processing, as well as the deforming processing, as per teaching of Hirokai, because it improves security and protects privacy.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tabata et al. (US PAT. 6,313,864) discloses an image and voice communication system and videophone transfer method so that a speaker's face or alternate image is selected to transmit to a communication mate (Abstract).

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9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

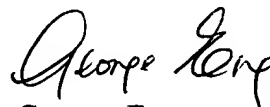
(703) 872-9314 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, V.A., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



George Eng

Examiner

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